

UNITED STATES DISTRICT COURT  
FOR THE  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

|                               |   |                  |
|-------------------------------|---|------------------|
| UNITED STATES OF AMERICA,     | § |                  |
| Plaintiff                     | § |                  |
|                               | § |                  |
| v.                            | § | CIVIL ACTION NO. |
|                               | § |                  |
| \$30,545.00 IN U.S. CURRENCY, | § |                  |
| Defendant in rem              | § |                  |

VERIFIED COMPLAINT FOR FORFEITURE IN REM

United States of America, Plaintiff, files this action for forfeiture against approximately \$30,545.00 in United States currency, Defendant in rem, and alleges the following.

*Nature of the Action*

1. This is an action to forfeit property to the United States pursuant to 31 U.S.C. §5317(c)(2).

*Defendant in Rem*

2. Defendant in rem is approximately \$30,545.00 in United States currency that was seized from Gabor Peter Palotai on October 15, 2010, at the George Bush Intercontinental Airport in Houston, Texas.

*Jurisdiction and Venue*

3. This Court has jurisdiction under 28 U.S.C. §1355 because this is an action for forfeiture.

4. Venue is proper in this Court under 28 U.S.C. §§ 1355 and 1395(a) and (b) because:

- a. the acts or omissions giving rise to the forfeiture occurred in the Southern District of Texas;
- b. the property was found in the Southern District of Texas; and
- c. this forfeiture action accrued in the Southern District of Texas.

*Basis for Forfeiture*

5. The Defendant in rem is subject to forfeiture pursuant to 31 U.S.C. § 5317(c)(2) which provides that any property involved in violations of 31 U.S.C. §§ 5316 and 5324(c) may be forfeited to the United States. These statutes state in pertinent part that:

- 1) a person shall file a report when the person knowingly transports, is about to transport, or has transported a monetary instrument of more than \$10,000 out of the United States. 31 U.S.C. § 5316(a)(1)(A);
- 2) no person shall, for the purpose of evading the reporting requirements of 31 U.S.C. § 5316, fail to file a report required by 31 U.S.C. § 5316. 31 U.S.C. § 5324(c)(1);
- 3) no person shall, for the purpose of evading the reporting requirements of 31 U.S.C. § 5316, file a report required by 31 U.S.C. § 5316 that contains a material omission or misstatement of fact. 31

U.S.C. § 5324(c)(2).

*Facts*

6. On October 15, 2010, Gabor Peter Palotai was about to leave the United States aboard Continental Airlines flight number 653 to Quito, Ecuador, at the George Bush Intercontinental Airport in Houston, Texas. In the jetway for this flight, a United States Customs and Border Protection Officer (CBP Officer) conducted a Customs outbound inspection. The CBP Officer asked Mr. Palotai if he was transporting more than \$10,000 in cash or monetary instruments for himself or others. He stated verbally and in writing that he was transporting only \$4,900.00.

7. A CBP Officer directed Mr. Palotai to an inspection table to verify the amount of money he was carrying. During the verification process, Mr. Palotai placed approximately \$10,621.00 on the table. A CBP Officer examined Mr. Palotai's luggage and found an additional quantity of cash. In total, CBP officers found that Mr. Palotai was in possession of approximately \$30,540.00. The officers seized these funds for forfeiture.

8. After the seizure of these funds, Special Agent Sokho Hwang, United States Immigration and Customs Enforcement, interviewed Mr. Palotai. Mr. Palotai said that he did not know why he did not declare the additional money. He

thought that by not declaring the additional money, it would be safe.

*Relief Requested*

9. Plaintiff requests (1) an arrest warrant and summons pursuant to Rule G, Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, (2) a judgment of forfeiture, (3) and costs and other relief to which the Plaintiff may be entitled.

Dated: November 24, 2010.

Respectfully submitted,

José Angel Moreno  
United States Attorney


By: /s/ Albert Ratliff  
Albert Ratliff  
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*Verification*

I, Sokho Hwang, Special Agent, United States Immigration and Customs Enforcement, declare under penalty of perjury as provided by 28 U.S.C. §1746 that I have read this Verified Complaint for Forfeiture in Rem, and the facts stated

in this complaint are true and correct to the best of my knowledge and belief.

Executed on November 24, 2010.



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Sokho Hwang, Special Agent  
U. S. Immigration and Customs Enforcement